

## APPENDIX H

### INSANITY DEFENSE REFORM ACT OF 1984

<u>U.S. Code Section</u>	<u>Type of Hearing</u>	<u>New Case</u>	<u>Part of Case In Chief</u>
18 U.S.C. 4241(a)	Motion to determine competence to stand trial.	no	yes
18 U.S.C. 4241(e)	Hearing to determine whether person temporarily hospitalized as a result of incompetence to stand trial has recovered competence.	no	yes
18 U.S.C. 4243(c)	Hearing to determine whether release of person found not guilty by reason of insanity would create substantial risk of injury to person or property.	yes	no
18 U.S.C. 4243(f)	Hearing to determine whether person hospitalized following finding of not guilty by reason of insanity may be released conditionally or unconditionally.	yes	no
	Also hearing to modify or eliminate conditions of release.	yes	no
18 U.S.C. 4243(g)	Hearing on revocation of conditional release imposed under Sec. 4243(f)	yes	no
18 U.S.C. 4244(a)	Hearing to determine present mental condition of convicted defendant prior to sentencing.	no	yes
18 U.S.C. 4245(a)	Hearing to determine whether imprisoned person suffering from mental disease or defect should be hospitalized.	yes	no

New      Part of Case

<u>U.S. Code Section</u>	<u>Type of Hearing</u>	<u>Case</u>	<u>In Chief</u>
18 U.S.C. 4246(a)	Hearing to determine whether a hospitalized person due for release is presently suffering from a mental disease or defect so that release would create a substantial risk of injury to persons or property.	yes	no
18 U.S.C. 4246(e)	Hearing to determine whether a person whose hospitalization was extended following a hearing under Sec. 4246(a) may be released or conditionally released.	yes	no
18 U.S.C. 4246(f)	Hearing on revocation of conditional release imposed under Sec. 4246(e).	yes	no